

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

MARIA MOELLER and RON
MOELLER,

Plaintiffs,

v.

THE ALIERA COMPANIES, INC.;
TRINITY HEALTHSHARE;
TIMOTHY MOSES, SHELLEY
STEELE, CHASE MOSES, and DOES
1-10,

Defendants.

No. CV 20-22-H-SEH

ORDER

On June 30, 2021, the Court issued its Findings of Fact, Conclusions of Law and Order in this case which, inter alia, concluded and ordered:

1. Moellers (a) did not accept an offer to enter into a contract containing a binding arbitration clause, (b) did not enter into a contract containing a binding arbitration clause, and (c) are not parties to a contract containing a binding arbitration clause.
2. Defendant Trinity Healthshare, Inc.'s Motion to Compel Arbitration

or, in the Alternative, Dismiss Claims and Stay Remaining Litigation is DENIED.

3. The Alieria Companies, Inc.'s Motion to Compel Arbitration is DENIED.¹

Other motions filed and briefed by the parties as of June 30, 2021, which remain unresolved as of July 16, 2021, include:

1. Chase Moses' Motion to Dismiss for Lack of Jurisdiction: (a) Motion and Brief filed September 3, 2020; (b) Response filed October 27, 2020; and (c) Reply filed November 10, 2020.²

2. Chase Moses' Motion to Compel Arbitration filed and briefed on September 8, 2020.³

3. Timothy Moses' Motion to Dismiss for Lack of Jurisdiction: (a) Motion and Brief filed November 13, 2020; (b) Response filed December 4, 2020; and (c) Reply filed December 18, 2020.⁴

4. Shelley Steele's Motion to Dismiss: (a) Motion and Brief filed February 9, 2021; (b) Response filed March 1, 2020; and (c) Reply filed March 15, 2021.⁵

¹ Doc. 213.

² Doc. 84; Doc. 85; Doc. 106; Doc. 118.

³ Doc. 86; Doc. 87.

⁴ Doc. 120; Doc. 121; Doc. 125; Doc. 131.

⁵ Doc. 148; Doc. 149; Doc. 163; Doc. 168.

5. Ron and Maria Moeller's First Motion for Extension to Time to Serve Second Amended Complaint on Timothy Moses filed on July 9, 2021.⁶

Also pending before the Court and unresolved are an Amended Motion to Withdraw as Attorney⁷ and Second Amended Motion to Withdraw as Attorney⁸ filed by counsel for the Alieria Companies, Inc. ("Alieria"), Shelley Steele, and Chase Moses. On July 16, 2021, the Court ordered all proceedings in the case "suspended and stayed pending dissolution, modification, or lifting of the 11 U.S.C. § 362 automatic stay by order of the United States Bankruptcy Court of the District of Delaware" due to Trinity Healthshare's pending bankruptcy.⁹ On December 3, 2021, a separate 11 U.S.C. § 362 automatic stay was entered by the United States Bankruptcy Court for the District of Delaware when Alieria was involuntary forced into bankruptcy.¹⁰ Both automatic stays remain in effect.

Upon order of Court lifting the automatic stays in the Trinity and Alieria bankruptcies the Court will schedule a status conference with counsel for the parties to take up, consider, and implement such other and further proceedings in

⁶ Doc. 217.

⁷ Doc. 229.


⁸ Doc. 230.

⁹ Doc. 219.

¹⁰ Doc. 233.

this case as maybe necessary and appropriate.

DATED this 25th day of February, 2022.



SAM E. HADDON
United States District Court